

# HOUSE BILL REPORT

## HB 2438

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**As Reported by House Committee On:**  
Environment

**Title:** An act relating to making technical corrections to various environmental statutes of the department of ecology and the pollution control hearings board.

**Brief Description:** Making technical corrections to various environmental statutes of the department of ecology and the pollution control hearings board.

**Sponsors:** Representatives Takko, Tharinger, Fitzgibbon and Ryu; by request of Department of Ecology.

**Brief History:**

**Committee Activity:**

Environment: 1/24/14, 1/28/14 [DP].

**Brief Summary of Bill**

- Amends programs administered by the Department of Ecology to make technical changes.

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### HOUSE COMMITTEE ON ENVIRONMENT

**Majority Report:** Do pass. Signed by 13 members: Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell, Fey, Harris, Kagi, Morris, Nealey, Ortiz-Self, Overstreet and Tharinger.

**Staff:** Megan Mulvihill (786-7291) and Jacob Lipson (786-7196).

**Background:**

The Department of Ecology (DOE) is responsible for managing many state policies regarding the environment. The DOE's authority includes multiple statutes managing the state's water resources, air quality, pollution, solid and hazardous wastes, toxic hazards, and the state shorelines. Many of the DOE's orders and decisions may be appealed to the Pollution Control Hearings Board (PCHB).

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

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**Summary of Bill:**

Programs administered by the DOE are amended to make technical changes, which include removing past dates and following updated drafting guidelines.

Changes are made to the following statutes:

- Pollution Control Hearings Board (chapter 43.21B RCW);
- Waste Reduction, Recycling, and Model Litter Control Act (chapter 70.93 RCW);
- Clean Air Act (chapter 70.94 RCW);
- Solid Waste Management (chapter 70.95 RCW);
- Waste Reduction (chapter 70.95C RCW);
- Hazardous Waste Fees (chapter 70.95E RCW);
- Used Oil Recycling (chapter 70.95I RCW);
- Hazardous Waste Management (chapter 70.105 RCW);
- Vessel Oil Spill Prevention and Response (chapter 88.46 RCW); and
- Oil and Hazardous Substance Spill Prevention and Response (chapter 90.56 RCW).

Specific details of some of the changes include:

- removing language for the DOE to adopt by rule the one or more types of litter receptacles that are uniform in design. The DOE has completed the process of adopting minimum standards for litter receptacles;
- changing the authority for charging a fee for a noncompliant hazardous substance user or hazardous waste generator from the Department of Revenue to the DOE; and
- eliminating the Hazardous Waste Control and Elimination account which is no longer active, and transfers the funds to the state Toxics Control Account as authorized under the Model Toxics Control Act (MTCA) of 1988.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) More efficiency in government is good, and this bill cleans up old language and makes things more efficient. Years ago, the departments were challenged with coming forward with statutory cleanup. This is seen as a small, but important part of the commitment to efficiency, accountability, and public service. This is a composite product of several different programs. It's purely to get rid of outdated programs and references to clear up outdated work, committees that no longer exist, and to avoid confusion.

(Opposed) None.

**Persons Testifying:** Representative Takko, prime sponsor; and Tom Clingman, Washington State Department of Ecology.

**Persons Signed In To Testify But Not Testifying:** None.